

A housing practitioners' guide to integrating people seeking protection and refugees

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Ministerial foreword

Scotland has a long history of welcoming refugees and asylum seekers from all over the world. Scottish Ministers maintain that they should be integrated from day one, and not just when leave to remain has been granted. The contribution of our refugee communities has helped make Scotland a proud, successful and diverse country.

The Scottish Refugee Council, for more than 35 years, have provided dedicated support for refugees and asylum seekers in Scotland. The SRC works closely with refugees and asylum seekers to help them understand, and realise, their rights so that they can thrive in their new communities. The SRC works in partnership to support and drive forward the implementation of the New Scots Refugee Integration Strategy.

This Guide aims to assist housing professionals across local authorities and registered social landlords, as well as the third sector, to realise the benefits that the integration of refugees and asylum seekers can bring to communities across Scotland.

Covid has hit every community in Scotland since early 2020, but this guidance sets out the additional challenges that impact our refugee and asylum communities due to the restrictions placed on all citizens across Scotland. It is important for housing professionals to recognise the impact on individuals of restrictions for people who also have experienced, and fled from trauma.



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Introduction

This Guide is for housing practitioners working in Scottish local authorities, housing associations and the third sector who are assisting the integration of people seeking protection and refugees. It has been written by Scottish Refugee Council with the support of Scottish Government and published with the support of the [Chartered Institute of Housing Scotland](#) (CIH). Scottish Refugee Council works to ensure that all people seeking protection in Scotland find safety and support and are treated with dignity, empathy and respect. We work to empower and enable access and exercise their rights, and enable people seeking protection to participate fully in their communities and their new home. [Scottish Refugee Council works to uphold rights, and we do this through our service provision which aims to;](#)

- Help all refugees access their rights and fulfill their goals;
- Help destitute people seeking protection get back onto the asylum support system;
- Challenge any gaps in current support or service delivery for people seeking protection

In our work to influence decision and policy makers we aim to ensure that the rights of people seeking protection are not diminished, and ensure that Scotland is a place of positive change.

The Housing Practitioners Guide was originally published in 2011 and a subsequent edition published in 2016. This third edition of the guide reflects the many changes that have taken place over recent years including:

- The publishing of the recommendations from the Homelessness and Rough Sleeping Action Group.
- [The introduction of the Scottish Government's Ending Homelessness Together: High Level Action Plan.](#)
- The changes in the power to assess Local Connection and the Duty to assess intentionality.
- [The publication of a new 20 year vision for the housing sector, Housing to 2040.](#)

The guide aims to aid housing practitioners to support the integration of people seeking protection and those recognised as refugees. It provides:

- essential information about the rights and entitlements of refugees in relation to housing, homelessness and welfare benefits;
- guidance and examples of good practice aimed at reducing homelessness amongst refugees and improving tenancy sustainment; and
- a practical tool with internal and external links to help you find the information you need.

Who we work with

Scottish Refugee Council works with people seeking protection. This is when a person has made a claim to be considered for Refugee Status and whose claim is still being considered.

A refugee is a person who: "Owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country." (1951 UN Convention relating to refugees).

People who seek protection can be recognised as a refugee or receive other forms of leave to remain; as refugees in the UK are granted protection on one of the legal grounds which entitle them to different types of status and leave to remain.

The three main categories of legal status that you are likely to come across (each is described in the Glossary) are:

- Refugee Status;
- Humanitarian Protection; and
- Discretionary leave to remain.

Each status differs slightly in its legal basis and specific rights associated with it. However, most of the people seeking protection who have a protection based claim recognised will hold one of these statuses. These three types of leave to remain have similar legal rights to housing so are treated together for the purposes of this Guide. For further information on the terms and vocabulary used in the guide please see [appendix 2: Glossary](#).

Table of Contents

Supporting integration as a practitioner	5
Routes to the United Kingdom and housing outcomes	10
Rights to housing in the asylum process	12
Supporting those receiving a positive decision	15
Homelessness and housing options	19
Rights and entitlements to social security	23
Tenancy sustainment	26
Appendix 1: Organisations that can help	30
Appendix 2: Glossary	32



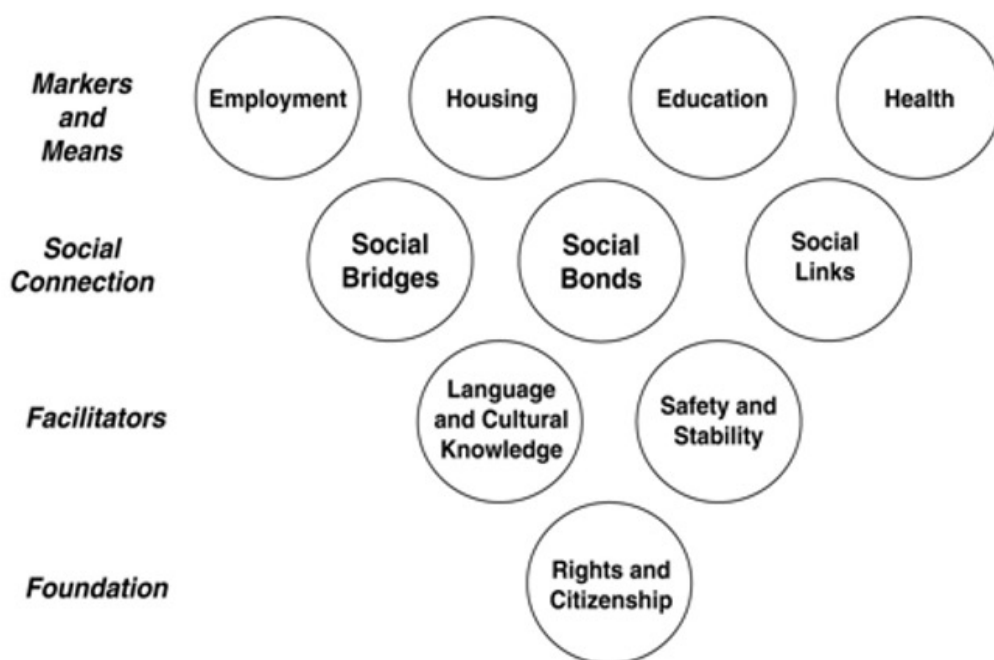
Supporting integration as a practitioner

Wider context

Integration is a complex and contested issue and has become contentious in recent years across Europe as the focus on people seeking protection has been highlighted in the years since the last guide's publication. Many European countries have focused on language and employment, learning cultural norms and values while many have been openly hostile to those who continue to hold their own cultures as close as possible. In this context, Scotland is unique in that it has had a framework to support refugees' integration since 2014 through [The New Scots Strategy](#). Part of the purpose of the framework sets out what housing practitioners can do to support the integration of people seeking protection, and refugees. In this section, we focus on the tools you have as a housing practitioner in supporting New Scots.

A framework for integration

As a complex and contested concept it is sometimes difficult to agree on a definition of integration, or the factors which are fundamental to it. Based on their work with communities Ager and Strang (2008) developed a conceptual framework, which sets out a way to address integration but also to measure it. The diagram below sets out the framework;



Building onto this framework, the Scottish Government, COSLA and Scottish Refugee Council introduced the New Scots Strategy in 2014, and an [updated Strategy in 2018](#) to work towards ensuring integration in these theme areas was achieved. In the [housing action plan](#) of the New Scots Strategy, there are actions such as supporting refugees in the move on period with access to information and ensuring access to suitable housing options. The New Scot's strategy brings together key actors in the third sector and government to effect change while working with people seeking protection. It recognises the foundational role housing plays within integration.

Who is a New Scot

People seeking protection are, above all, people who are new to Scottish society. This includes those who have recently sought protection or those who have been recognised as a refugee. People seeking protection and refugees are who we are speaking about when we talk about New Scots. The New Scots framework was designed to support people seeking protection in Scotland. New Scots face the dual barriers of a lack of orientation of local areas and services and lack of knowledge of systems and, will therefore, have some needs which may appear basic and fundamental. It will be necessary for you as a housing practitioner and the organisations you are part of to spend additional time with people seeking protection or refugees, supporting them in explaining their rights, obligations and options, as well as being realistic about what people can expect as an applicant, tenant and new user of services.

A safe and stable base

Housing is identified as a means to and a marker of integration. The foundations and facilitation of integration in Ager and Strang's (2008) framework rely on activities that happen beyond someone's home, but having safety and stability are often things a home gives us. As housing practitioners, we should see our role, and housing more widely, in integration as;

- supporting people holistically;
- embedding a person centred approach;
- providing access to housing rights and giving information on responsibilities as tenants and citizens;
- providing the environment for community safety and stability;
- acting as a community anchor, providing social links, bonds and bridges to formal and informal social connections; and
- directly and indirectly facilitating access to welfare, employability, employment, education and health services.

Language and accessibility

An important aspect of supporting people seeking protection is ensuring equal access to all of your services and support functions. It is important to have clear, jargon-free, easy-read English language information available to all people which is reviewed regularly to ensure that people with limited English language skills are able to understand it. People seeking protection and other groups of people with limited English language skills should be involved in the review of any standard documents and leaflets to ensure that they are easily understandable.

Some people seeking protection will speak, read and write English fluently, others will require oral interpretation and written translation. These needs exist on a wide spectrum and are purely based on a person's level of education and exposure to the English language. Ensuring understanding is particularly important when discussing legal obligations such as tenancy agreements or where the tenancy is under threat. It is best practice to check with the person with the person you are supporting if an interpreter would benefit them if English is not their first language. Housing practitioners and the organisations they are part of should, therefore, ensure that they provide adequate facilities for interpretation and translation. Organisations such as [happy to translate](#), can help practitioners evolve their practice, and continually strive to provide equitable services.

Working with interpreters

Working with interpreters is a skill and requires training. Scottish Refugee Council has experience in working with interpreters and we share here some important basic steps to include in everyday practice.

When booking the session

- Consider which interpreter to book – do you have interpreters who you can trust?
- Check the language is right and seek precision of the dialect spoken.
- Depending on the person's circumstances you may need to be gender sensitive when choosing the interpreter (this means asking the person you are supporting whether they have a gender preference for an interpreter).

Before the session

- Keep the interpreter separate from the client to maintain professional boundaries.
- Brief the interpreter about the discussion including jargon or unusual words. You may want to ask the interpreter to use the English terms for some things and say that you will explain what it means. Some terms, especially technical ones, do not have obvious equivalents in some languages.
- Remind the interpreter they are bound by confidentiality and professional boundaries.

During the session

- Introduce the interpreter and yourself.
- Explain how the session is going to work (confidentiality and when it will be broken, everything must be interpreted, side conversations are not permitted).
- Make sure that there is a language match.
- If there is a problem with the interpreting, stop the session and see if you can fix it, if not continue at another time.
- If you need to leave the room, ask the interpreter to leave too.

After the session

- Debrief with the interpreter.
- Do not ask the interpreter for personal opinions of the client.

[If you would like to find out more about developing your skills in working with interpreters there are more resources available.](#) You should also consider that interpreting is an unregulated area of work, no professional qualifications or experience is required and therefore quality of interpreting can differ. Although there are welcoming steps in Scotland to introduce community interpreting courses with the aim to improve quality and practice on interpreting.

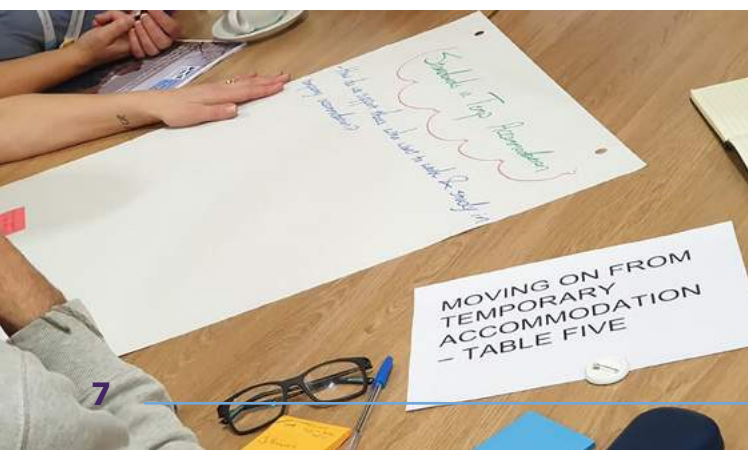
Recognising resilience and vulnerability

There are a range of factors that will affect the support that people seeking protection need. However, the process of fleeing a country and going through the asylum process requires people to demonstrate considerable resilience. Indeed, Scottish Refugee Council research suggests that the majority of refugees require guidance, advice, advocacy and signposting rather than in depth support in order to integrate. More widely in homelessness, we have seen the beginning of a revolutionary understanding of the factors that impact on how a person engages and uses services depending on how they are delivered. In the [Scottish Government's Ending Homelessness Together Plan](#), it is recognised that a home is not just a roof over your head, but a place to feel safe and secure, and that supports people to integrate (2020:04). Support services, therefore, need to have an effective way of assessing the abilities and needs of the people seeking protection and plan for the building of their autonomy and resilience beyond just providing a home.

The impact of fleeing persecution

There are a range of reasons why people flee from their home countries including war and persecution (gender, ethnic, political, etc). In the homelessness sector, we have recently been learning and developing our practice approaches to understand how to respond to trauma and designing and delivering trauma informed spaces and service. Work done on how adverse childhood experience impacts in later life are all tools and techniques we can bring to understanding trauma more widely. These techniques and learning are similar to supporting people suffering from trauma, who have fled persecution.

Everyone's story will be different, and the effects of persecution will be different. What we do know is that fleeing and leaving home are harrowing experiences. The only way to establish how these experiences impact upon the person and the support that they may now require is involving the person that you are working with, effectively assessing their individual needs in a sensitive way and making relevant referrals



to the services that may be able to offer them support if they are ready and able to accept it. Services will need to bear in mind that people may raise difficult issues including histories of war, torture, physical, sexual and gender-based violence and will require support staff to be well trained in dealing with these issues. Staff should also be trained in self-care to ensure they are able to discuss these issues without affecting their own health and wellbeing. [There are dedicated resources developed for you as a practitioner to develop your practice, and also your organisation, produced by the NHS.](#)

The impact of the asylum process

Asylum is a complex and difficult process that may last for a considerable period. It is established that the asylum process has an impact on integration outcomes, especially health, due to stress and low income. During the asylum process people have little control over many aspects of their lives including where they live. They are unable to work, travel outside the UK, be reunited with family abroad and cannot access many of the fundamental rights and entitlements afforded to UK nationals. People seeking protection have to report to the Home Office every two weeks to evidence that their circumstances have not changed and that they are complying with immigration control. Failure to report results in direct sanctions of Home Office financial support. This process can have a significantly detrimental effect on people's independence and people seeking protection can often view officials supporting them as providing a similar role to those at the Home Office. As a result, people seeking protection may require additional support and staff may need to allow for additional interview time and/or follow up sessions to build trust, fully address the issues, ensure the person understands the roles of the people involved in their support and that they are separate for the asylum process.

Being culturally competent for people seeking protection

Developing culturally competent services means that practitioners listen to what people seeking protection say about their culture. What is important is to treat people as individuals, be respectful of differences and listen to their concerns. However, professionals will then need to manage personal wishes and preferences with the individual rights, options and obligations of living in Scotland – for them, their families and the people around them. People seeking protection are individuals, there is no common refugee experience or set of experiences. No one's journey or reasons for fleeing can be generalised to others.

Having a gender-sensitive approach to people seeking protection

Men and women's experience of persecution, asylum and settling in a different country can be very different. Women seeking protection face particular gendered barriers and may require additional support and consideration of their particular needs and experiences. Examples of these can include:

- experiences of gender-based violence, human trafficking (including sex trafficking) and female genital mutilation (FGM);
- longer average times in the asylum process than men and increased likelihood of receiving discretionary leave to remain;
- increased childcare responsibilities and the impact of fleeing persecution with children; or
- the role of women within families.

In order to address these challenges, housing practitioners and the organisations they are part of should consider:

- additional training for housing staff in the issues affecting refugee women;
- keeping information on sexual health, support and counselling services and violence against women;
- using female staff and interpreters where appropriate;

- providing women-only drop-ins or advice/surgery times;
- allowing for caring responsibilities and childcare provision (for example timing appointments during school time or providing childcare where appropriate);
- ensuring that all members of a family are involved in support and casework, not just one “main applicant”; and
- facilitating support workers/buddies to attend interviews and appointments if appropriate, based on a needs assessment.

Helping people seeking protection achieve their wider goals

A home is only one part of successful integration. Learning English, pursuing education and employability are often key objectives for refugees and will be important for many in achieving their integration into Scottish society. People seeking protection are often keen to explore whether they can transfer any qualifications and experience they gained back home to employment and education opportunities in the UK. You as a practitioner and the organisations you are part of can support with this by ensuring refugees:

- have good links to local centres for English for Speakers of Other Languages (ESOL), colleges and employability services;
- have access and support to information technology and computer services; and
- are given access to quality welfare rights advice.

Key summary

There are a range of activities that organisations supporting people to find new homes, or establish themselves in a home can do to support refugees in tenancies and in communities. Exactly how you decide to approach this should depend upon the needs of those you serve. It is important that your organisation works with relevant groups, communities and people themselves to shape your work with people seeking protection and make your services work for them.

An important part of this is knowing where your local groups, organisations and networks are and having key contacts within them. Equally important is having strong contacts within relevant departments in local, Scottish and national government structures. Not only will this allow for you to form strong referral routes for refugees to facilitate integration, it will also allow you to have a strong network of advice and support in doing your job for refugees. A list of networks and organisations that may be able to assist can be found at [appendix 1. Scottish Refugee Council also provides a range of training courses to assist organisations to support people seeking protection and meet their needs.](#)



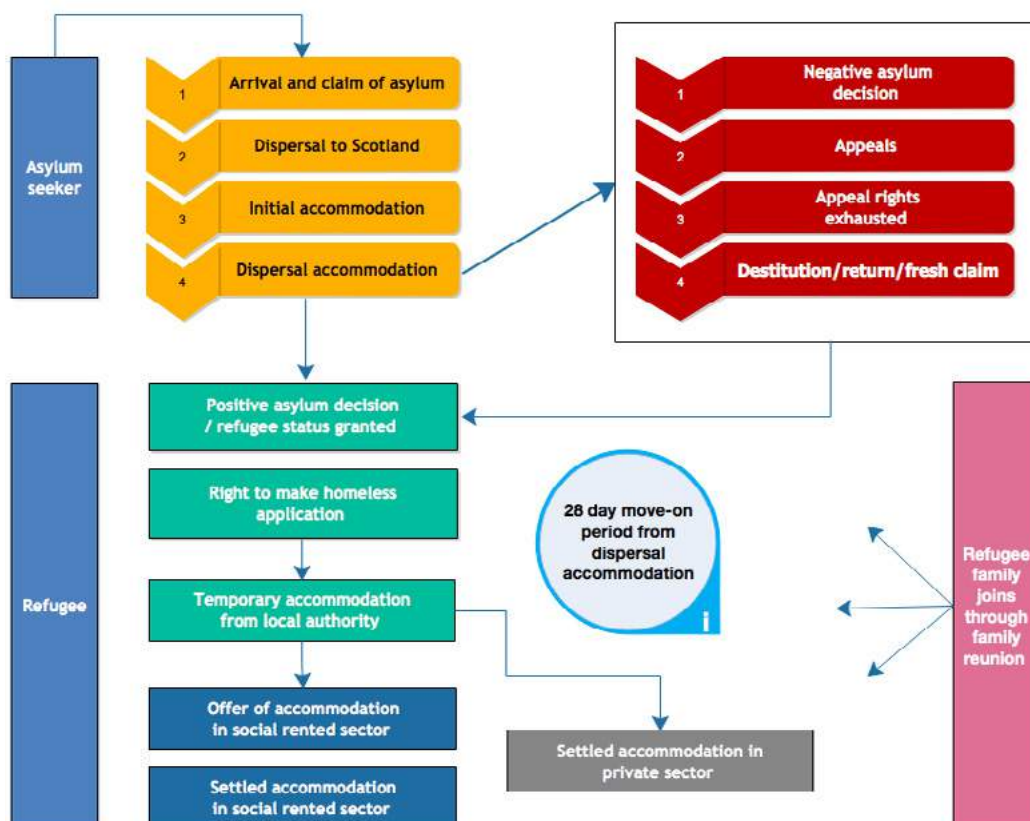
Routes to the United Kingdom and housing outcomes

Refugees can arrive in the UK through two different routes. People can make their own way to the UK and [seek asylum](#) in the UK or as part of a [resettlement programme](#) through which their journey will be managed in collaboration with the UK Government.

Those routes have an effect upon the support refugees receive, and the ongoing support refugees may be able to access upon arrival in the UK. Particularly in terms of the right to a home for people seeking protection, there are key differences for those claiming asylum in the UK vs those arriving through resettlement. The Westminster Government is currently consulting on proposed changes to the immigration system, [we have set out our response to this](#). For you as a housing professional, where you stand within these processes is often unclear, in this section we will highlight the differences between the routes and how they impact on housing outcomes, as well as overall outcomes.

Claiming Asylum in the UK

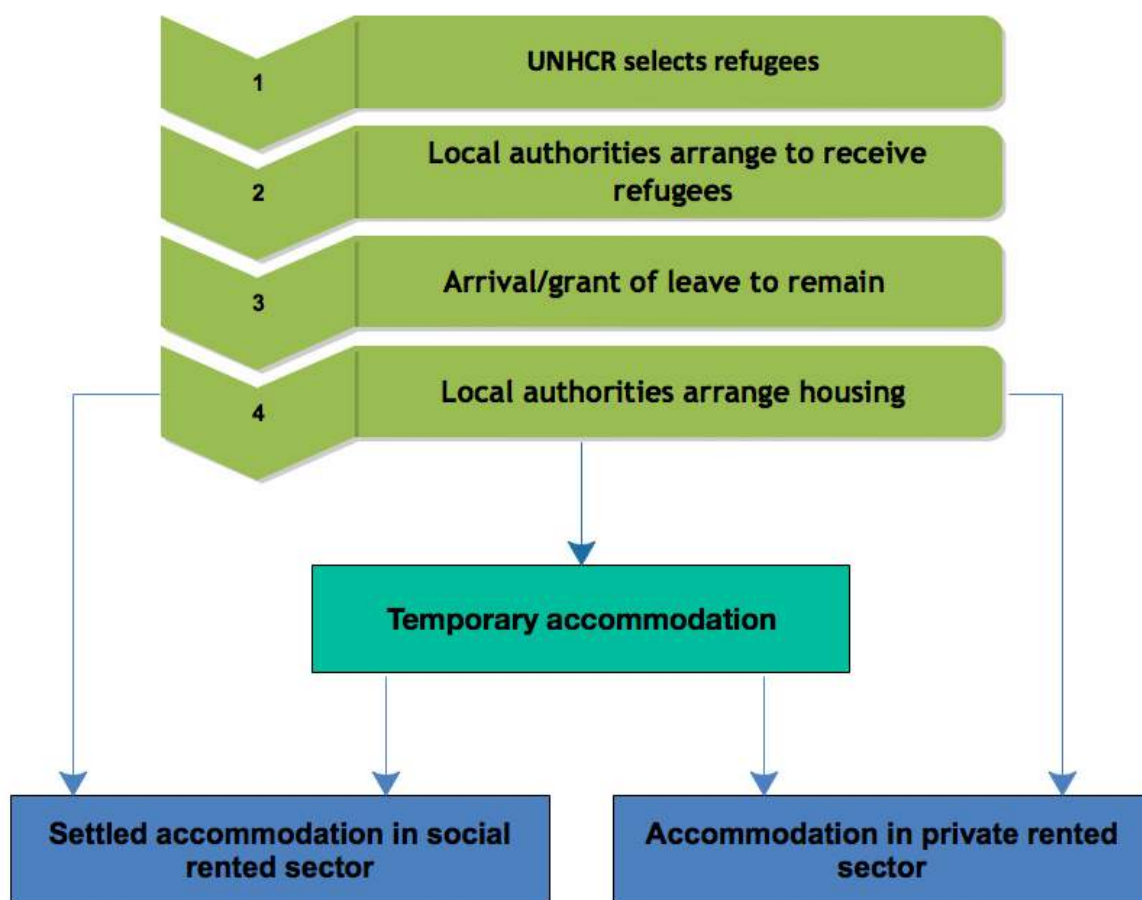
The majority of refugees living in the UK arrived outside of government run programmes. In [2020, the Home Office had recognised 9,936 protection based claims from people arriving in the UK, as compared to 832 people receiving protection through the resettlement scheme](#). The figures for 2020, have been impacted by COVID-19. In Scotland, people seeking protection will mostly be accommodated in Glasgow by the Home Office. There are limited resources and support towards integration from the Home Office as there are is no additional support for integration beyond meeting housing and basic subsistence. For those people who need to claim asylum on arrival, the process reflects the diagram below.



Key point: This example shows the path that most refugees in Scotland will follow, mainly through Glasgow City Council. However, local authorities can adopt alternative systems in order to prevent homelessness. In any case, refugees should be offered the same housing options as any other housing applicant.

Resettlement

Those arriving through [resettlement programmes](#) benefit from the support of the UNHCR, the UK government and a receiving local authority, or will be part of [a community hosting scheme](#). [The UK government has recently announced sweeping changes to its resettlement programmes](#). In Scotland, all 32 Local Authorities are involved in resettlement programmes. Through those programmes, people's reasons for seeking protection have already been assessed and Refugee Status has been granted prior to their arrival in the UK. Their housing journeys reflect the diagram below.



Key summary

The experiences of people seeking protection who have gone through the asylum process and those going through resettlement will be different. People's experiences of temporary Home Office accommodation and likely subsequent homelessness adds to the complexity of working with people who have claimed asylum in the UK, potentially exacerbating existing issues related to fleeing persecution and war. Local authorities should consider ways of preventing homelessness, intervening early to reduce the impact of these processes and incorporate this into their rapid rehousing transition plans. In any case, issues relating to refugees, social security and sustaining tenancies will affect all groups and this guide can be used as a reference material for practitioners to use depending on the stage they are interested in.

Rights to housing in the asylum process

Key for any housing practitioner in assessing how they can help is understanding the circumstances someone they meet is in. As practitioners, we are constantly assessing needs, rights and entitlements. This section will set out the rights those in the asylum process can assert, and the support on offer, as well as detailing some of the wider context, which helps in assessing the rights and entitlements to housing of people in the asylum process.

Asylum support - accommodation and financial support

When people seeking protection arrive in the UK, they often do so without financial means to support themselves or somewhere to stay and face destitution. In these circumstances, people who have ongoing asylum claims and are destitute have a right to access asylum support in the form of temporary support called [Section 98](#) while they wait for long term support in place for the duration of their asylum claim called [Section 95](#). There is also [Section 4](#) support, which is available to those who have had a claim for asylum fully refused, have exhausted their appeal rights but are looking at other avenues to assert rights and entitlements.

Asylum support is named after the sections of the Immigration and Asylum act 1999 they relate to. For many people claiming asylum, they will need to access asylum support in order to meet their basic needs. However, the living costs support for Section 98 and Section 95 can be met in different ways depending on where you are in the UK. Section 95 support is offered as subsistence only or with accommodation. Section 4 support for those who have had a refusal and are pursuing other legal avenues is offered with no access to cash. All types of asylum support include accommodation but this is provided on a no choice basis. In some instances, social landlords provide properties to the subcontractor of the Home Office. Knowing how to respond, or what advice to give in these circumstances can be challenging. In this section we will outline rights and entitlements to housing for people seeking protection and limitations to that.

Homelessness provisions

People seeking protection [have no recourse to public funds and are therefore not eligible for homelessness accommodation provided by a local authority](#). Although they can submit a housing application to a housing association, they may not be allocated a tenancy until they have leave to remain. People seeking protection, depending on their circumstances may be eligible for other forms of support provided by local authorities which can include accommodation, [please see the section on Health and Social Care](#). There is also additional information on rights and entitlements which might help you assess someone's rights in [COSLA's guidance on understanding someone's eligibility](#) and useful information on the CIH Housing Rights website for people eligible for [social care](#) or because [they are destitute](#).

Supporting people to access asylum support

For people seeking protection who find themselves destitute, the Home Office has a range of providers across the UK to deliver its Asylum Accommodation and Support Services Contracts (AASC) and Advice, Issue Reporting and Eligibility Assistance services (AIRE).

The AASC contract sets out the standards and requirements of accommodation for people in asylum accommodation across the seven dispersal regions, and three accommodation providers under the AASC:

- Scotland (Mears)
- Northern Ireland (Mears)
- North East, Yorkshire and Humberside (Mears)
- North West (Serco)
- Wales (Clearsprings Ready Homes)
- Midlands and East of England (Serco)
- South (Clearsprings Ready Homes)

In Scotland, the contractor chosen for AASC was the Mears group, and Migrant Help delivers the AIRE service. The Standards for Requirements for asylum accommodation are less rigorous than what are permissible standards for temporary and permanent accommodation in Scotland. Asylum accommodation can be sourced through shared accommodation, hostels and hotels. [There is useful information on the standards and requirements of the AASC contract produced by Asylum Matters.](#)

For advice across the UK, Migrant Help is the sole point of contact for a range of matters. Migrant Help offers its services mostly over the phone and advice can be given on a range of issues like [applying for asylum, accessing asylum support and reporting issues with properties provided under the AASC contract](#). In order to apply for asylum support, someone must contact Migrant Help. For practitioners, this means that you might often need to direct people seeking asylum or those looking for advice to Migrant Help. However, there are other sources of support which you might find useful, please see [appendix 1: Organisations that can help](#). [There is also useful information on the standards and requirements of the AIRE contract produced by asylum matters.](#)

What does the process look like

People in the asylum process often arrive in the UK to claim asylum and within days will be moved to another part of the country to be accommodated under the AASC contract. For many reasons, the contract does not set out quality or standards of experience for those on the receiving end of the services provided. Often people in the asylum process receiving asylum support are moved several times while their asylum claim is being processed. This is not because of the needs or actions of the individual but to meet contractual obligations or logistical needs. Often for families and individuals this means developing and sustaining support networks can be challenging.

When receiving a decision on their asylum claim, families and individuals face eviction and destitution as the Home Office considers that they are no longer eligible for asylum accommodation as their claim has been fully processed. If the Home Office decision refuses protection, families with at least one child aged under 18 do not have their support

stopped, others will be given 21 days notice for the termination of their support. People are then at serious risk of destitution and face the possibility of street homelessness.

If the Home Office Decision recognises the need for protection, families and individuals will be given a 28 day notice for the termination of their support. This means, in most cases, moving into homelessness and facing another set of challenges.

Options when people are refused asylum and have exhausted their appeal rights

For many people, receiving a negative decision on an asylum claim can be extremely difficult, and for practitioners supporting people it can be challenging to know what steps to take next. In supporting people who are refused asylum with their protection based claims you should always signpost to a legal representative/encourage people to seek legal advice. Immigration advice is regulated, and any organisation or person doing in a professional capacity should be registered with the Office of the Immigration Services Commissioner. There is the possibility of applying for Section 4 support from the Home Office, but this can only be done under certain circumstances. People often benefit from specialist support, advice and advocacy to help them understand their options and liaise effectively with an immigration and housing solicitor - see [appendix 1](#).

Summary of rights and entitlements of people seeking protection

Currently, people seeking asylum and people who have had a negative decision in Scotland are entitled to:

- rent properties from private landlords;
- own their own home;

- stay with friends or family who have legal residence in the UK and, if applicable, claim asylum support for “subsistence only” from the Home Office (this is not possible with Section 98 or Section 4 support); and
- access accommodation through charities or other sources which are not allocated through the Housing (Scotland) Act 1987.

Although people seeking asylum have these rights, people rely on asylum support to meet their needs while their asylum claim is being processed. Unlike local authorities, Registered Social Landlords in Scotland do not have to take account of nationality, immigration, economic or other status when allocating homes. As RSLs are not subject to the exclusion on granting tenancies to persons subject to immigration control (see section 118 of the Immigration and Asylum Act 1999, which applies in Scotland only to local authorities) they do not need to consider nationality or immigration status and can allocate homes to any person. People seeking protection are entitled to be admitted to a social landlord’s housing list, but they have no automatic right to be given a full or short Scottish secure tenancy. Given this complexity, it may be helpful to access further information or specific legal advice in some cases. As well as doing a in depth assessment of the person’s circumstances. [The Scottish Government Guidance on allocations for social landlords](#) reflects this.

Other things to consider

Rights to social security and employment

People seeking asylum are not entitled to mainstream social security such as Universal Credit. People seeking asylum are not usually allowed to be in employment but can volunteer as well as being entitled to take part in ESOL and some further education courses.

While likely to be a rare occurrence, people seeking asylum are entitled to claim contribution-based benefits if they have paid sufficient national insurance contributions (such as contribution-based ‘new-style’ Jobseeker’s Allowance). This could happen, for example, where a person had been working on a visa prior to claiming asylum. This is uncommon but highlights the need for an in depth assessment of

someone’s rights and entitlements, and a referral to a legal representative and advocacy agency with the relevant knowledge and qualifications .

Health and social care

In Scotland, anyone who has made a formal application for asylum, whether pending or unsuccessful, is entitled to health care on the same basis as a UK national resident. Social work services are not public funds so there is no general exclusion from these services for new arrivals, people in the asylum process or people whose application has been unsuccessful. In particular, there is no restriction on when social workers can intervene under the Children (Scotland) Act. However, there are some restrictions to general social work services or residential care under Social Work (Scotland) Act 1968 or services under Mental Health (Scotland) Act 1984 if those needs arise because the person is destitute or because of the physical effects or anticipated physical [effects of the person’s destitution](#). This does not remove local authorities’ duty to assess people seeking protection. Their needs should be assessed and met in the same way as any other applicant. For further guidance for local authorities please refer to the [COSLA practitioner guide](#).

Key summary

There are a number of ways you, as a housing practitioner, may come into contact with people in the asylum process. Although there are restrictions to housing options for people seeking asylum, there are often options available to secure accommodation of some sort so that people are off the streets and are given a safe place and food to allow them to explore their options in a humane and dignified way. It is important you are aware that options may be available to people seeking asylum and that you know the role of other organisations such as local authority social work departments and third sector advice and support agencies to ensure that they get the best outcomes for the people seeking protection you come into contact with.

Supporting those receiving a positive decision

Wider context

Supporting people through difficult circumstances often means appreciating the challenges people have faced. In the housing sector, there have been concerted efforts to understand the role trauma plays in how people engage with services, and how we, as practitioners, must respond sensitively and appropriately to that trauma. [It is part of a person centred and trauma informed approaches described in the Ending Homeless Together updated action plan.](#)

People seeking asylum, and refugees face a number of experiences that are challenging and difficult, having left home just being one of them. People may have experienced trafficking, torture and gender based violence and other forms of persecutions. During the asylum process, people may have experienced destitution, many unplanned moves, and during the COVID-19 pandemic long stays in hotels with no access to cash - a range of circumstances that are dehumanizing and add to the trauma experienced before reaching the UK. These challenges and their consequences often become most apparent when people receive a decision. Even when a person is recognised as a refugee, the challenges of destitution, homelessness and uncertainty do not go away. As housing practitioners, we can play a vital role in supporting people in these circumstances.

For people seeking protection, homelessness and destitution is a threat built into the asylum support system. After receiving a positive decision on an asylum claim, it is expected that refugees will claim social security and approach local authorities for assistance as they no longer qualify for their asylum support and accommodation.

The decision to award Refugee Status is communicated in a 'determination of asylum claim' letter' from the Home Office. The decision letter should be accompanied, or followed shortly, by a Biometric Residence Permit (BRP) card. Once the BRP is issued, the Home Office sends a "Support cessation" letter giving 28 days' notice on the person's

Home Office accommodation and financial support. Supporting people as a practitioner in this period can be difficult as they can face practical and institutional barriers to getting the support they need.

Move on support

This transition period is commonly referred to as the move-on period and is a very limited period of time (of 28 days) when refugees have to manage a substantial change in their circumstances. In the move-on period, refugees will need to secure alternative housing and apply for mainstream benefits. This process involves a range of systems and entitlements that are new and most likely unknown to them. This is a crucial time in which refugees need support, advice and sometimes advocacy to access services and exercise their rights. [Scottish Refugee Council Integration Services can help people in these circumstances.](#)

Scottish Refugee Council's Integration Service supports refugees to achieve their goals through the development of [Holistic Integration Plans](#). Most refugees, even the most resilient, will need intensive support during the move-on period to navigate the housing and social security systems. Once those are settled, refugees are more able to begin to work towards their aspirations for life in the UK around education and employment.

[Since 2019, on receiving a positive decision across the UK, people will be contacted by Migrant Help Move on Service.](#) This service aims to raise awareness of rights and entitlements, information on opening a bank account and signposting to local services.



The next steps in social security

Ensuring financial stability is one of the fundamental steps in the transition from asylum support to mainstream social security and reserved benefits. The move on period is often a period where people experience destitution and uncertainty. Refugees are entitled to apply for social security and reserved benefits from the day they are recognised as refugees. This means they can apply before their support from the asylum support stops. They can do that because the financial support paid by the Home Office is lower than the level of benefits they are now entitled to. New benefit claims take time to be processed and are often delayed due to administrative challenges. It is therefore important to advise newly recognised refugees to apply for social security and reserved benefits as soon as possible after receiving a positive decision.

National Insurance Numbers

A National Insurance Number (NINo) should be issued on Biometric Residence Permits. However, if a BRP is issued without a NINo this should not be a barrier to applying to the Department for Work and Pensions (DWP) as they can accept an application for benefits regardless of whether someone has a NINo. In circumstances where refugees are issued a BRP without a NINo, [an application for a NINo can be made as part of an application for a reserved benefit](#). Any instances where applications for reserved benefits are not taken because someone does not have a NINo, is still in receipt of Home Office support, or is suspected not to meet the criteria of the Habitual Residency Test should be challenged via DWP escalation routes as well as Mandatory Reconsiderations. You can also contact Scottish Refugee Council or other local advice agencies for further advice.

Habitual residence

Refugees, people with Humanitarian Protection and those with Discretionary Leave to remain with recourse to public funds do not have to show they are habitually resident.

Short term emergency support: Crisis Grants

In many cases, refugees in the move-on period will not be in receipt of any Scottish social security or reserved benefits when their asylum support stops. People will face destitution as a result. As practitioners, we can support refugees to access all forms of statutory short term support to bridge the gap including Crisis Grants from the Scottish Welfare Fund, Short Term Benefit Advances, and help from local authority social work services. [Not having a NINo is not a barrier to apply for grants from the Scottish Welfare Fund. It is clearly stated in the Scottish Government guidance.](#)

Rights and entitlements can cause confusion amongst practitioners. This can result in refugees incorrectly being refused accommodation and/or financial support. Any refusal of support for a person recognised as a refugee should be challenged (with specialist help, if required). Further information about the welfare benefits that individuals can apply for can be found in the Social security and reserved benefits section.

COVID-19's impact on the move-on period

In January 2020, homelessness services in Glasgow were struggling to deal with demand. A large proportion of the demand in the city was from refugees, moving on from asylum support totalling 17.7 percent of all homeless applications (695 cases transitioning from asylum support). A year later, that number has dramatically reduced, to 12 percent (513 cases transitioning from asylum support), a reduction of 5.7 percent (26 per cent decrease in number of cases).

The COVID-19 pandemic brought huge uncertainty and insecurity and also led to a continued pressure on Glasgow's homelessness service. However, outcomes improved over the course of the year as changes in practice and policy led to positive outcomes for refugees moving on from asylum accommodation. Steps were put in place to manage demand, prepare for those transitioning and not rely on emergency responses. There are several examples of good practice from the Home Office, the local authority and

the accommodation provider which we would like to see continue beyond current temporary restriction related to the pandemic.

Glasgow City Council, the Home Office and MEARS came to an agreement to move refugees out of asylum accommodation when suitable temporary accommodation is secured or a social tenancy is offered. If the latter, refugees remain in their accommodation until the tenancy is ready to start and homelessness is effectively prevented.

The introduction of an effective and planned response to refugee homelessness in Glasgow has meant much more positive experiences for people put through the process of leaving one home for another. Under the previous process, we heard that refugees faced many challenges including:

- Lack of access to healthcare in the interim period of asylum support ending and being provided with temporary accommodation.
- Inappropriate accommodation provided such as hotels for families, which have no access to cooking facilities, laundry facilities and are often overcrowded.
- Disruption to education for all members of a family unit, whether that be children or adults.
- People reporting an impact on their wellbeing as a result of the process of moving from asylum accommodation to emergency and then temporary accommodation.

While the agreement between the local authority, the Home Office and accommodation providers remains in place, we see this as wholly positive. This agreement has on the whole provided a better standard of service for all involved. It has addressed some of the issues we used to regularly highlight as ongoing issues, and ultimately people are more positive about moving accommodation, in an otherwise uncertain period.

Homelessness prevention

Further information on the process that refugees will go through when applying as homeless can be found in the [Homelessness and Housing Options](#) section.

Key summary

Early intervention is the key to successful outcomes from the 28 day move-on period. Local authorities and other agencies should have the aim of preventing homelessness and consider providing services to people seeking protection to ensure they are aware of their rights upon being recognised as a refugee and are able to access them quickly. Many refugees will still need support in applying for social security and reserved benefits. As well as making arrangements for housing directly after recognition of a protection based claim, good mechanisms for referral between asylum support providers and homelessness and social security/reserved benefits rights assistance is key to long-term positive outcomes.



Homelessness and housing options

Homelessness is designed into the move on process from asylum support. Refugees will no longer be eligible for asylum support 28 days after their asylum claim has been recognised and they receive their ID document (BRP). They will therefore need to secure alternative housing and most will need to present as homeless to a local authority. The Home Office provides little assistance with this process and refugees will need to navigate these new systems relying on third sector organisations for advice and information.

This section looks at the responsibilities of local authorities to assist refugees who are granted 'leave to remain' to secure settled accommodation, as well as the role and support practitioners have.

People who used to receive asylum support have lived on a very low income (£39.63/week/person) and they therefore have no resources when evicted from their Home Office accommodation. The majority of refugees SRC supports will end up with a tenancy in the social rented sector. A small proportion of people will find their own accommodation with family & friends or in the private rented sector. As practitioners it is our responsibility to ensure the widest possible range of housing options are explored when people are experiencing homelessness.

The move-on period

Upon being recognised as a refugee, people will receive a decision letter from the Home Office granting 'leave to remain' advising that after 28 days:

- the financial support they have received as a person seeking protection will end; and
- they will have to move out of the Home Office accommodation provided to them.

Further information on this can be found in the section [Moving on from asylum support](#).

Transition from asylum support to homelessness

Once recognised as a refugee, a person leaving asylum accommodation in Scotland:

- is deemed to be 'threatened with homelessness' when in receipt of an asylum support termination letter;
- is deemed to be unintentionally homeless and can present to any local authority in Scotland; and
- is entitled to homelessness assistance;

These rights apply to anyone who has Refugee Status, Humanitarian Protection or Discretionary leave to remain who have been accommodated by the Home Office.

Homelessness presentations from refugees

Once a person has been recognised as a refugee, and 'leave to remain' is granted, people are entitled to present as homeless to a local authority and, like any other person experiencing homelessness should:

- receive support to prevent homelessness;
- receive advice and assistance from their local authority;
- be provided with temporary accommodation while the local authority investigates their circumstances; and
- receive a decision from the local authority on whether it has a duty to offer permanent accommodation.

Threat of homelessness

A person recognised as a refugee is deemed to be 'threatened with homelessness' during the 28 day move-on period. The Home Office letter notifying the end of the asylum support constitutes the evidence required by a local authority of 'the threat of homelessness'. When presented with this evidence, local authorities should address their duties towards people threatened with homelessness and plan a response to avoid crisis responses.

Intentionality

Refugees, who are required to leave their Home Office accommodation, can only be considered to be 'unintentionally homeless'. [This remains unchanged by changes to the duty to investigate intentionality.](#)

Local connection

A person recently recognised as a refugee and who has had to leave asylum accommodation can present as homeless to any local authority in Scotland within six months following the date they were granted status. As the location of their asylum accommodation was not one they have chosen, they are not considered to have a local connection with any specific area in Scotland. Refugees in England, Wales and Northern Ireland can also present in Scotland in the same circumstance. [This remains unchanged by changes to the power to investigate local connection.](#)

For example - a refugee who was 'dispersed' by the Home Office to live in Glasgow, did not choose to live in Glasgow and cannot be deemed to have developed a local connection with that city however long they have lived there in their asylum accommodation. If a refugee has lived in an area for six months after having been granted 'leave to remain', they can be deemed to have formed a local connection with that area and can be asked to present as homeless to that local authority (this is a power not a requirement).

As housing legislation is different in England, Wales and Northern Ireland, [it is important that refugees obtain legal advice before moving away from Scotland.](#)

Homelessness in future

If a refugee becomes homeless or at risk of homelessness at a later point in their life, their homelessness application should be treated like any other person experiencing homelessness.

Discharging homelessness duty

In discharging homeless duty, refugees are entitled to an offer of permanent accommodation in the same way as any other group of people. This could be:

- an allocation of accommodation directly from the local authority (where the local authority has its own stock);
- a Section 5 referral or other formal nomination to local housing associations;
- [or an offer of privately rented accommodation in certain circumstances.](#)

Because of the multiple barriers that refugees face, housing practitioners and organisations should spend additional time and resources ensuring that refugees understand the process and are involved in the decisions on whether a suitable offer of accommodation has been made.

Processes for making an offer of accommodation can be extremely complicated and difficult for refugees to understand. For example in Glasgow, because the local authority no longer has its own housing stock and due to the large number of housing associations in the City, Section 5 referrals are administratively complex and can take some time. Section 5 referrals can be made simultaneously to a number of housing associations making it very difficult for refugees to feel part of the process. Previously this may have led to a direct offer or bidding through choice based letting. Exploring whether flipping a temporary tenancy to a permanent tenancy may also be an option for many individuals and families who want to avoid multiple moves in a short space of time.

Organisations should also ensure that all housing options are fully explored. This may require additional time, or ensuring that people you are supporting have the same understanding as you do of the process. A common barrier to supporting refugees is language.

Ensuring an interpreter with the correct language and dialect is available if the person you support wishes to have one will ensure understanding. This is a key step in integration.

Housing Options

A well-developed approach to Housing Options is particularly important to refugees, given the circumstances people find themselves this leads to limited awareness of the options available locally in relation to:

- the social rented sector (local authority or housing association) or the private sector (renting, owner occupation or shared equity);
- the popularity of different neighbourhoods and house types; and
- local facilities such as schools, GPs, hospitals and social networks.

Key elements of Housing Options advice and support

Information: Clear information should be provided to refugees - is there a need for documents in plain English, for translation or interpretation?

Advice: Refugees should have an allocated worker to explore their options and should have access to independent advice and advocacy services.

Orientation: There is a need to explore refugees' orientation with the local area - some people in this situation may not have been in the area for very long and may have little awareness of which areas would provide a sustainable housing option for them.

Integration: It is important that social landlords adopt an integration-based approach to supporting refugees, considering all the factors of a person's life that could lead to a sustainable housing solution, such as social connections, employment, education and health.

Support: All people experiencing homelessness should be assessed for housing support provision and this will be particularly valuable to refugees who are unfamiliar in dealing with, for example, energy suppliers, council tax and heating systems. More information on supporting refugees can be found in the [Supporting integration as a practitioner](#) section of this guide.

Choice of area and property type

In preparing refugees for moving into secure accommodation, and the process around it, either through the homelessness route or through making their own efforts to find accommodation through housing associations or in the private sector, refugees need to be able to make informed decisions in relation to:

- the area they will be living in - particularly if being referred to an area-based housing association; and
- the types of home available and differences in costs.

Just like any other person you are supporting, refugees will need to be made aware of the likely waiting times for different areas and property types. A dialogue and open conversation can often be difficult working with interpreters, please see the section on [Supporting integration](#) for some tips and tricks around this.

Choice based letting

Where landlords operate choice based lettings, advisers should ensure that people fully understand how the system works and how they can optimise outcomes. You should consider the following questions:

- How accessible is the choice based lettings process for someone who may have little English and may not have access to, or be familiar with using, a computer?
- Is the process described in plain English - ensure accessibility?
- Do people accessing the system need more help - a buddy/ a peer mentor?

Number of offers

It is important to explain clearly the policy in relation to the number of offers that can be made to a homeless applicant, acceptable reasons for refusing an offer and the implications of refusing reasonable offers. We have experience of working with communities where experiences of friends and family undermine the policy of a local authority or housing association. It is important to ensure that while respecting the rights and experiences of people, we are clear about likely outcomes and have an open dialogue.

Family reunion

Family Reunion is a right for refugees. You may have tenants or applicants you are supporting who are applying for or exploring family reunion. When assessing an application from a refugee it will be helpful to explore whether in the future they may seek to legally bring other immediate family members to the UK. It is useful for housing providers and practitioners to be aware that family reunion, and the inevitable need for a larger house, may become an issue in the future and can put the family at risk of repeated homelessness. Policies and procedures should recognise this as a possible outcome. In Glasgow, they are currently trailing an approach where refugees are matched with a suitable property from the point at which they make an application to the local authority.

Private rented sector

Private rented accommodation can be an option for some refugee. However, the lack of a previous rental history, high rental costs in relation to likely benefits and the need for a substantial deposit can make the sector an unrealistic or unreasonable option. This does not mean it is not a suitable option for some, however, it needs to be fully considered in relation to other integration aspirations, e.g. education goals, and motivations more widely.

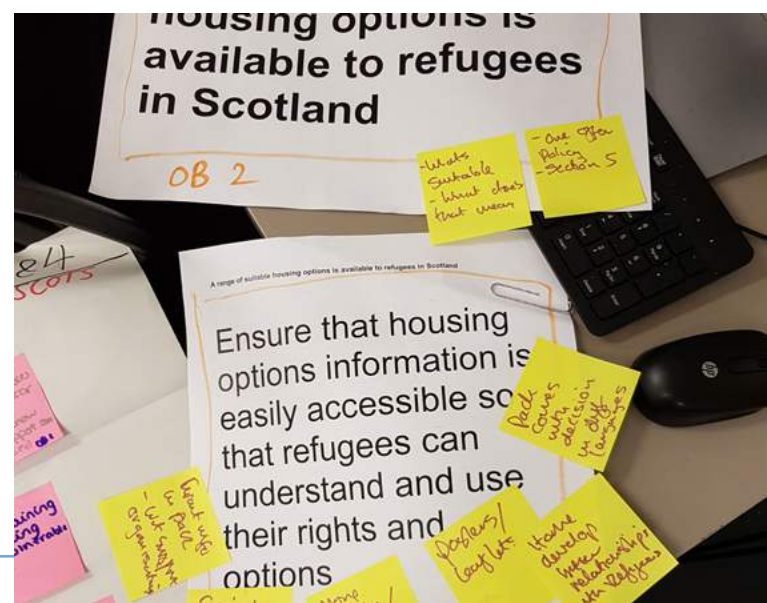
Immigration restrictions and renting housing

A refugee, with Humanitarian Protection, Discretionary or Indefinite leave to remain with no restrictions on access to public funds has the right to access local authority homelessness and housing allocation services. Although there are some restrictions for people who are seeking asylum to be allocated a secure tenancy (see [Rights to housing in the asylum process](#)) private landlords and housing associations should not restrict access to properties due to people's immigration status as a matter of course.

In recent years, the UK Government passed the Immigration Acts of 2014 and 2016. Which requires all private landlords and housing associations who are allocating their properties directly to applicants In England and Wales, to carry out immigration checks on their tenants. These requirements are not yet in place in Scotland. There is no timeline for its introduction publicly available.

Key summary

Unfortunately, homelessness is built into the systems refugees have to navigate. While refugees' right to homelessness assistance in Scotland is well established, and thousands of people now call Scotland home, more needs to be done to prevent this structural homelessness. The move-on period gives an opportunity to anticipate it. Local authorities and practitioners should ensure a planned approach to the homelessness assessment and accommodation process so that the level of disruption to refugees' lives is minimised and crisis is avoided.



Rights and entitlements to social security

Wider context

As housing practitioners, ensuring we support the people we work with to maximise their incomes means they have the means to sustain their tenancies. This can often be a challenge for refugees, there are also instances of structural barriers to accessing rights and entitlements to social security, which we will highlight in this section.

There are particular periods in people's journey through the asylum system, and transition to 'mainstream' support that include insecurity and destitution. For many refugees, the move on period is not the end of their issues, but an extension of a new and complicated bureaucratic process which they must go through to secure their basic needs.

Reserved benefits and social security

The Smith Commission Agreement set out changes to the benefits system in Scotland, devolving responsibility for specific welfare rights previously legislated for by Westminster, and delivered by the Department for Work and Pensions (DWP). The new Scottish social security powers cover:

- Health and Disability Benefits, such as Disability Living Allowance
- Carers Allowance
- Discretionary Housing Payments
- Scottish options on Universal Credit (e.g. the ability to have rent paid direct to a landlord and be paid more frequently)

The DWP remains responsible for the delivery of a number of key welfare rights which people with Refugee Status, Humanitarian Protection and Discretionary leave to remain can apply for and receive.

Rights to social security

People granted protection status with full recourse to public funds can access all mainstream benefits they are entitled to if they meet the eligibility criteria. People with Refugee Status, Humanitarian Protection and Discretionary leave to remain can, from the day they receive a positive decision and with no restriction, apply for social security and work, this includes homelessness assistance, Universal Credit and Scottish Welfare fund.

Discretionary Leave to Remain can be granted without access to 'Public Funds', known as 'No Recourse to Public Funds' (NRPF). Although it is very rare, it is important in these situations that people get legal advice as to whether this can be reviewed by the Home Office. People with NRPF condition on their leave to remain are still entitled to some statutory support. They can claim contribution based benefits and seek support from social work services should they require adult or child protection.

Social security and the move-on period

Ensuring financial stability is one of the fundamental steps in the transition from asylum support to mainstream social security and reserved benefits. The move-on period is often a period where people experience destitution and uncertainty due to the processing time of benefits being longer than the move-on period. It is important to apply for all eligible social security and reserved benefits as soon as possible after being granted status and before the termination of the asylum support paid by the Home Office. It is also critical to support people to access bank accounts before their asylum support ends, or encouraging people to look at other ways to access payments at the earliest opportunity, such as credit unions.

Barriers to financial stability

Extended processing time

Some social security such as Child Benefit can take longer to process for people who have been recognised as refugees, with delays for these payments (extended periods are not uncommon and often go beyond the minimum five week period) often running to several weeks or months. For families, this means they can face destitution and severe financial hardship as a result of these delays. As practitioners, we can support refugees to access all forms of statutory short term support to bridge the gap including Crisis Grants from the Scottish Welfare Fund, advanced payments, and help from local authority social work services.

Right to a bank account

While there is no legal reason why a person recognised as a refugee with a valid biometric residence permit (BRP) should not be able to open a bank account, many refugees struggle to open an account as they have difficulty providing acceptable evidence of their identity and address. This is a shared problem with all people facing homelessness and living at temporary addresses.

Refugees should try to engage with banks and other financial institutions to open a bank account. Housing support providers are often best placed to carry out this work, as they can provide letters of introduction which many banks will accept in place of utility bills or council tax bills.

Issues claiming Universal Credit

Challenges in opening a bank account make claiming Universal Credit difficult. Refugees can request benefits to be paid through payment exemption until they can find a bank that is willing to provide them with an account, but this is not often straightforward or practical to request. [People in the asylum process often face barriers to opening bank accounts, as well as restrictions on the purpose which they can be used and the circumstance](#), this does not apply to Credit Unions. Refugees will also need to maintain a journal and be literate in English as well as IT literate. This presents challenges for many people newly recognised as refugees. Claims can be made and maintained by telephone but this has proved difficult to access practically.

Backdated Child Benefit

People with Refugee Status (not people with Humanitarian Protection or Discretionary Leave to remain) are entitled to apply for a backdated payment to the day of their first asylum claim or the date of birth of their children born in the UK, whichever date is earlier. Any claim for backdated Child Benefit payment must be made within three months of being granted Refugee Status.

Paying for housing costs

Like all people with no or on low income who apply for Universal Credit, refugees can get help with the cost of their housing. Refugees claiming Pension Credit are eligible to apply for Housing Benefit to cover housing costs. Understanding housing costs may be a challenging transition, as during the asylum process, people seeking protection are not required to pay rent or bills as this is included in their asylum support. As practitioners supporting refugees, it may be necessary to spend additional time explaining housing and utilities costs, and Universal Credit and its importance to sustaining tenancies.

Accessing rights and entitlements to disability payments

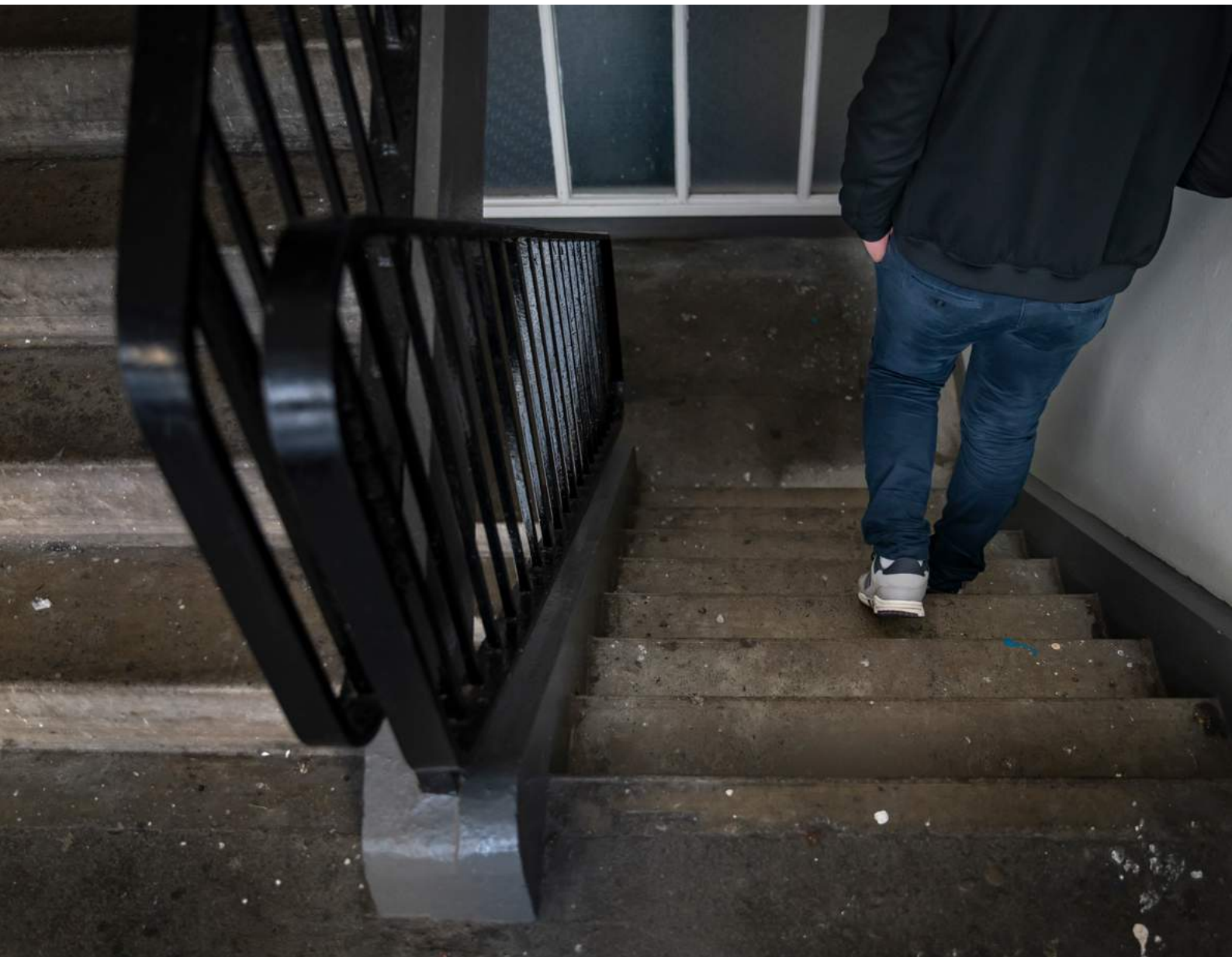
Since 2016, people with Refugee Status and people with Humanitarian Protection and their children can claim Disability Living Allowance, Child Disability Living Allowance, Personal Independence Payment, Attendance Allowance and Carer's Allowance. No residence criteria are applied. This will continue to be the same as the Scottish Social Security Agency takes over responsibility for taking new applications and the introduction of the new forms of disability support.

Integration loans

Integration loans are not part of the mainstream welfare system, they are available to people with Refugee Status or Humanitarian Protection and are administered by the Home Office. It is intended to support people in dealing with some of the specific challenges of settling in a new country. The loan is for a maximum of £500, is interest free and can be spent on items and activities that facilitate integration such as vocational training where provision is not available through Jobcentre Plus, [a deposit for accommodation, essential items for the home or the purchase of tools of a trade](#). Loan payments are automatically deducted from the applicants Universal Credit claim at a rate of £3.70 per week.

Key summary

The above section summarises the key issues with social security and reserved benefits for refugees, people with Humanitarian Protection and people with Discretionary Leave to remain. However, there are complicated rules around some of these issues which should be explored while supporting people to access social security and reserved benefits or challenge a decision. For more information on rights and entitlements to social security and reserved benefits, see factsheet [Benefits for new refugees by CPAG](#) and advice can be obtained from the [CPAG for advisors by phone or email](#).



Tenancy sustainment

Providing and sustaining homes regardless of circumstance is the work of thousands of housing practitioners in Scotland. There are significant trends in policy and practice which have focused on not only the provision but sustaining of homes for groups, who have for whatever reasons been traditionally excluded or discouraged from taking on settled tenancies. With the introduction of HARSAG and the Scottish Government's Ending Homelessness Together Action Plan, there has never been a greater focus on sustaining and providing homes for all regardless of circumstance. There is also a wider recognition with the impact of COVID-19 that no one in Scotland wants to see people on the street or homeless.

There may be challenges in approach and policy on how we equitably ensure people fulfill their responsibilities in a tenancy. However, we are all firm in our conviction, as housing professionals, that a home should be a right. As explained in other sections of this guide, refugees are disproportionately affected by homelessness. This section builds upon the recommendations in HARSAG and the Scottish Government's Ending Homelessness Together Action Plan, with particular focus on factors that can affect tenancy sustainment for refugees when allocating a tenancy, when someone is moving into a property and issues that can arise during a tenancy.

Tenancy allocation

Arriving in the UK, claiming asylum and Asylum Support means people have no choice as to the type of accommodation and where they live. This means that a homelessness application and the discussion on housing options is the first time refugees can express choice with regards to their home in Scotland. Coupled with limited knowledge of systems, these factors often coincide to make finding tenancies and the decisions associated with the homelessness process extremely difficult. It is essential to provide clear information about the options that are available, accommodation that is being offered and the implications of taking up those offers. In order to help sustain tenancies and prevent homelessness, housing practitioners can use this guide as a reference point but also approach the conversation from the

perspective of refugees. We will cover common areas of concern, which are based on our knowledge of providing advice and support to refugees.

Housing types and locations

For refugees, the decisions they are facing are often difficult when they have been moved through the asylum process with no choice at all on where they choose to live. People in this situation are often only aware of the areas they are accommodated in and those associated with communities and support networks. Housing practitioners should be particularly aware of the need to avoid aggravating the effects of social isolation when allocating tenancies to refugees, taking account of competing priorities in people's lives including English classes, other education goals, employment and social networks. Similarly, the homelessness system can be worrying or unfamiliar to refugees. Thorough and in depth assessments reflecting their particular experience, as is the case for other tenants with recognised vulnerabilities and experiences of trauma, should be standard practice.

Choice-based lettings systems can increase people's involvement and inclusion in the process of choosing housing types and locations. However, it is very important local authorities put in place processes for ensuring that systems are accessible in terms of language and IT provision and that, if necessary, refugees receive additional support to use these systems.

With the impact of COVID-19, we have seen a move away from choice-based letting. In Glasgow, any alternative processes introduced should include engagement with refugees and the dialogue and choice that choice-based letting engendered for some. There has been tension between choice-based letting and direct offers, which has led often to misunderstandings for the people we support. There is evidence to suggest that a matching approach to allocate tenancies in Glasgow has resulted in a higher rate of homeless households accepting offers of permanent accommodation, this is true of refugees. However, we do not yet have any evidence to suggest what the basis for this is. A single system of allocation for people experiencing homelessness rather than two

competing systems simplifies the process and seems to benefit refugees.

Hate crime - concerns about safety at home and in the neighbourhood

Refugees often experience hate crime. Experience of hate crime and racial harassment can instantly put tenants under threat as hate crime can make properties unreasonable to occupy. Housing practitioners and the organisations they work for should be clear what hate crime is, and clear on how they respond to it.

As practitioners we should be encouraging the reporting of hate crimes (both to the housing authority and police). Keeping good records of where previous instances of hate crime and harassment have been reported in the past can also provide a good idea of the areas where placing refugees would create risks. Similarly, having easy to understand procedures and literature around the reporting of hate crime and harassment can reassure refugees and offer speedy resolution to any reported incidents. These policies should include:

- the process for reporting a hate crime;
- an outline of how victims will be protected; and
- how action against the perpetrator will be handled.

Housing providers and practitioners should work closely with the police by, for example, becoming a hate crime [Third Party Reporting Centre](#). Many social landlords are third party reporting centres and can support those who have experienced hate crime to report it. When carrying out assessments for the allocation of a home, staff should ensure that each of these issues is thoroughly explored with the applicant. Ideally, this should take place with the involvement of housing support staff and staff from the accommodation provider to ensure that the property being allocated is suitable and sustainable.

Moving into a property

Moving into a new permanent property can cause considerable difficulties for many homeless people. Refugees, however, face distinct barriers while going through this process linked to their previous experiences, language and orientation of systems they need to engage with and areas. Support for resettlement and setting up home, for example in furnishing their flat or connecting utilities.

Refugees come to the UK with few or no belongings and with very little resources due to having lived on asylum support (£39.63 per week per person) which does not allow any savings to be made. Coupled with Home Office and local authority temporary accommodation generally being let furnished, refugees do not accumulate belongings before securing their first permanent tenancy.

As explained in the [Rights and entitlements to social security](#) section, there are a range of short and long-term benefits to which refugees are entitled to help sustain a tenancy. However, many people need support to access these forms of assistance. Refugees may also be unaware of their right to access them and may have difficulty making applications for them due to language difficulties and digital access. In particular, housing providers and practitioners should ensure that they support people to claim Community Care Grants for basic furnishings and as well as giving information on the 'Scottish choices' for Universal Credit. It may also be useful to consider policies on rent in advance and whether adjustments can be made to allow the transition from accommodation provided through homelessness and a permanent let. Not being able to save, combined with support networks also having limited access to cash, mean rent in advance is a barrier to permanent tenancies.

Systems for connecting utilities, arranging for bin collections and paying bills are likely to be unfamiliar to refugees unless they have experience of living in the UK before claiming asylum. This can cause basic problems in the early days of a tenancy which can escalate to more serious issues if not resolved quickly.

Clear explanations and written instructions on how to deal with these matters can provide a quick and easy solution to these problems. In other cases, more intensive support may need to be provided either by the landlord or another support provider. Similarly, refugees may have difficulty negotiating the energy market and housing providers should ensure that they refer cases to appropriate energy saving projects where necessary. As well as any other additional beneficial services they provide to tenants.

Information sharing and partnership working

Local authorities and support agencies working with refugees during the homelessness process are likely to have gathered considerable information on the needs of refugees including, for example, their language needs, support requirements and any vulnerabilities. Sharing this information, where appropriate, with housing officers and other landlord functions as well as making linkages with other supporting agencies for the effective transfer of support information can help to ensure any ongoing needs are met at an early stage and prevent tenancy sustainment problems arising later.

During a tenancy

In our experience, the following issues often contribute to problems with tenancy sustainment.

Overcrowding - family reunion

Most refugees come through the asylum system living on their own. People often will have family in their home country or who may, themselves, have been displaced to other countries. Refugees and people with Humanitarian Protection status are entitled to apply to have their partner or child join them in the UK. If an application is successful, their family members will be allowed to join them in the UK and will be granted equivalent rights to remain and access public funds. Family reunion can take several months or years to achieve as, in some cases, refugees do not

know where their families are. In other cases, family reunion can only take a few weeks. The British Red Cross can provide financial and practical assistance in facilitating family reunion (see [appendix 1](#)).

Good forward planning and policies for staff to follow are essential to mitigate the impact of family reunion. This should include:

- training frontline staff in the process of family reunion so that they are equipped to discuss and plan for tenancy allocation and sustainment with new tenants;
- shaping allocation and overcrowding policies to allow flexibility about the timing, size and type of property offered to prospective and existing tenants who are going through family reunion. Policies should allow for the allocation of larger properties if family reunion is imminent, for overcrowding priority to be awarded at an early stage when family reunion has been confirmed and emergency arrangements where overcrowding is likely to become severe; and
- asking prospective or existing tenants about family reunion and establishing approximately when family reunion is likely to take place, taking advice from any support agencies involved in the case.

Finally, it is important to note that, if families separate after going through family reunion, this is likely to have an adverse effect on the immigration status of the parties with family reunion visas. People in this situation should be referred for legal advice on their immigration status as soon as possible. This can often be a difficult and stressful time for families, with the challenges of finding appropriately sized accommodation, [ensuring they all access benefits and social security as well as adjusting to being together again after a long period of separation](#).

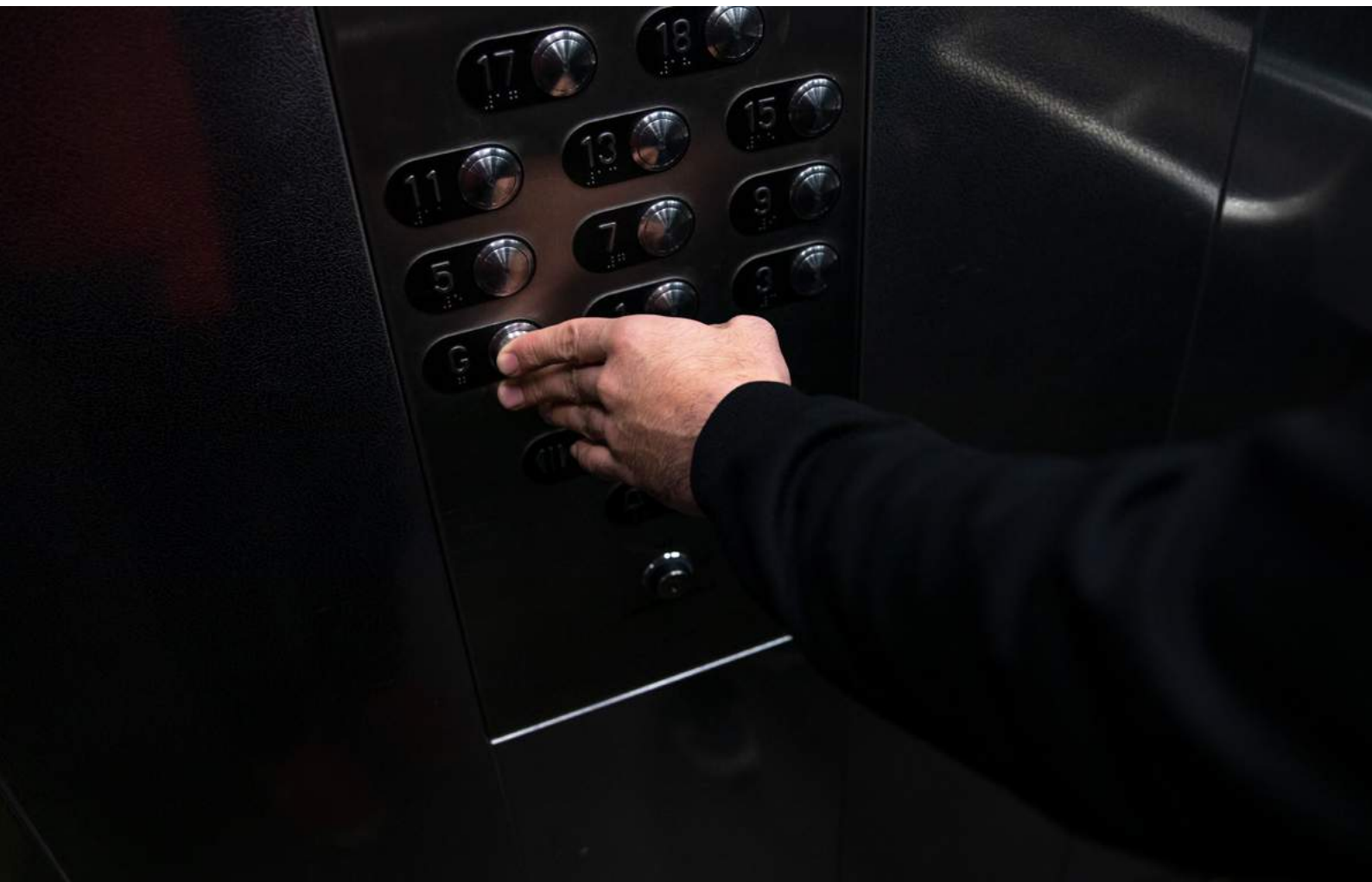
Community care and support needs

Refugees can often have mental health needs that are not identified. These needs may be as a result of their history of persecution, their traumatic journey to the UK or the multiple challenges of the asylum process, poverty and homelessness that ensue. Due to stigma and prejudice against people with mental health problems, refugees may not always disclose these issues and often rate their health as good.

Practitioners should know about these issues, be trained to recognise the onset of these difficulties and how to manage disclosure and have clear procedures for referral of people for appropriate support. The section on [Supporting integration](#) gives further details about how housing providers and practitioners can proactively work with refugees to thrive in their communities.

Key summary

To reduce the above risks, allocation, tenancy sustainment policies and other relevant policies should include activities prior to allocating a property, at the early stage of the tenancy and also with long established tenants. This could include going through detailed resettlement plans with new refugee tenants, offering additional support to refugees at the start of tenancies and providing a range of accessible information on help that is available. Such approaches should allow pre-crisis interventions.



APPENDIX 1: Organisations that can help

Scottish Refugee Council works with people seeking protection and refugees, providing advice, signposting and advocacy, to ensure people seeking protection and refugees can exercise their rights, understand their options and can make choices for a successful integration. Scottish Refugee Council also offers training and coordinates wider campaign and policy work on asylum and refugee issues.

British Red Cross helps people seeking protection and refugees to access essential services and adapt to life in a new country. British Red Cross also helps to restore contact between families separated by armed conflict, disaster or migration by using the global Red Cross and Red Crescent network.

Integration Networks work in partnership with people seeking protection and refugees to develop projects and services that meet the needs of local communities. They aim to build links within and between communities to encourage cross-cultural understanding and to celebrate diversity. The following Integration Networks exist in Glasgow:

- [Central and West Integration Network](#)
- [Cranhill Development Trust](#)
- [Govan Community Project](#)
- [Maryhill Integration Network](#)
- [North Glasgow Integration Network](#)
- [Pollokshaws Area Network](#)
- [South East Integration Network](#)

The Chartered Institute of Housing Scotland is a registered charity and not-for-profit organisation. They are the professional body for people who work in housing, the independent voice for housing and the home of professional standards. Their Housing Rights website gives recent arrivals and housing advisers up-to-date information about people's rights when looking for a home, based on their immigration status.

COSLA helps councils build better and more equal local communities. They aim to empower local decision making and enable councils to do what works locally. They work on councils' behalf to focus on the challenges and opportunities they face, and to engage positively with governments and others on policy, funding and legislation.

Positive Action in Housing is an independent, anti-racist homelessness and human rights charity which provides advice and information to ethnic minorities, including people seeking protection, refugees and destitute migrants. They assist with helping to overcome bad housing and to secure paid work. They also provide emergency support and free shelter to those at risk of destitution through Room for Refugees and offer training services and coordinates wider campaign and policy work on issues relating to ethnic minorities.

Glasgow City Mission offers help, assistance and support for people who need understanding and care. They help people affected by homelessness and poverty and provide emergency overnight accommodation for people who would otherwise sleep rough.

The Bridges Programmes support the social, educational and economic integration of refugees, people seeking protection, migrants and anyone living in Glasgow for whom English is a second language.

Refugee Women's Strategy Group (RWSG) is a group of refugee and asylum seeking women, supported by Scottish Refugee Council, whose aim is to ensure that the voices of refugee women in Scotland are heard.

Migrant Rights Scotland works alongside migrants and their community organisations for a rights-based approach to migration, supporting their engagement in developing the policies and procedures which affect their lives in Scotland and in the UK.

Freedom from Torture provides direct clinical services to survivors of torture who arrive in the UK, as well as striving to protect and promote their rights.

NHS Greater Glasgow and Clyde Psychological Trauma Service provides mental health services for refugees and people seeking protection in Glasgow and surrounds. Within this, their Trauma and Homelessness Team provides mental health services for homeless people in and around Glasgow.

Fife Migrants Forum based in Kirkcaldy, provides free help, advice, support, information and referrals for migrants.

Migrant Help provides advice and guidance to adult people seeking protection and their dependants. They can advise on issues such as how to claim asylum, the asylum process, financial support, finding legal representation, accessing health care and accommodation support.

Asylum Seeker Housing Project (ASH) is a volunteer-run project which can assist people seeking protection to report housing issues to the accommodation provider and empowers people by raising awareness of rights and responsibilities.

Refugee Survival Trust is a volunteer-led charity that provides grants to asylum claimants and refugees living in Scotland. Refugee Survival Trust also lead the **Destitute Asylum Seeker Service (DASS)** which is a partnership project led by RST with [Scottish Refugee Council](#), [British Red Cross](#), [University of Strathclyde Law Clinic](#), [Glasgow Night Shelter](#), Fasgadh and Arise & Walk. DASS assists refused people seeking protection who have exhausted their rights of appeal to find a route out of destitution and resolve their situation.

Glasgow Asylum Destitution Action Network brings together charities, churches, community groups and individuals seeking to assist those who have been made destitute or homeless following the refusal of their application for asylum, and other vulnerable migrants with no recourse to public funds.

Home Office is a branch of government (formerly called UK Border Agency) that processes applications for asylum and asylum support. Caseworkers can be contacted using the details on letters to people seeking protection or through the general asylum enquiry line on 0300 1232241.

Mears Group provides accommodation for people seeking protection in Glasgow on behalf of the Home Office and should be contacted for any accommodation-related problem.

Safe in Scotland (previously Glasgow Night Shelter) provides safe, dignified accommodation and trauma-informed support for people experiencing asylum-related destitution.

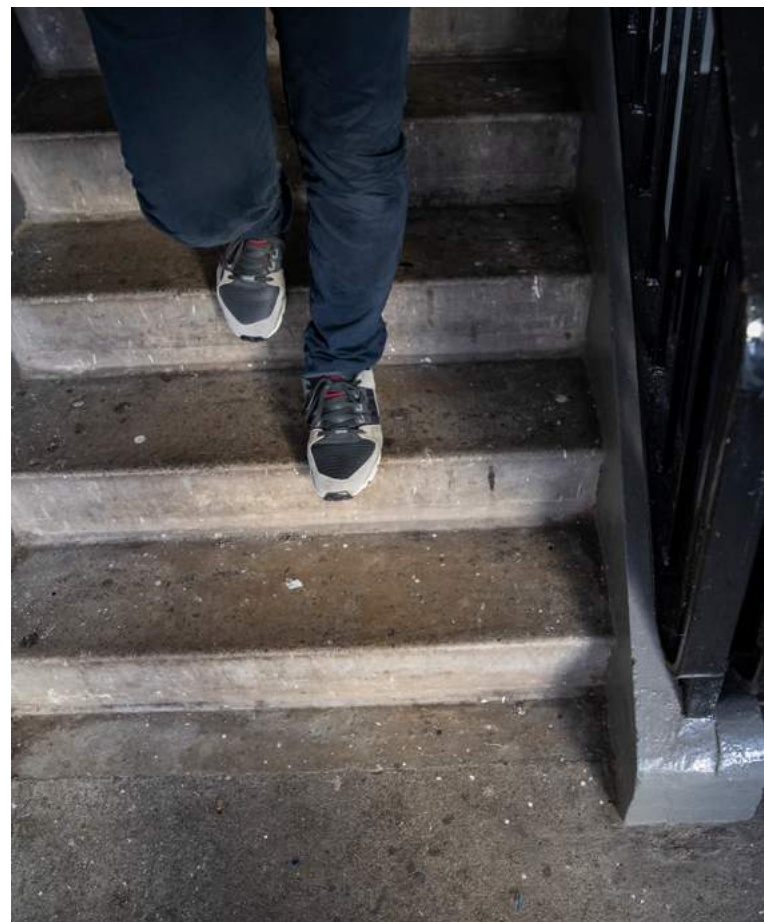
Shakti Women's Aid helps BME women, children, and young people experiencing, or who have experienced, domestic abuse from a partner, ex-partner, and/ or other members of the household. We also work closely with the Scottish Government, Police Scotland, NHS Scotland, and other statutory and voluntary services. They provide training and consultancy for agencies working with BME women, children, and young people.

Refuweegee was set up in December 2015 to provide a warm welcome to forcibly displaced people arriving in Glasgow, by providing community-built personal welcome packs.

Saheliya is a specialist mental health and well-being support organisation for black, minority ethnic, asylum seeker, refugee and migrant women and girls aged 12+ in the Edinburgh and Glasgow area.

Ubuntu Women Shelter is a Glasgow-based charity dedicated to meeting the short term (72 hours - 1 week) emergency accommodation needs of women with no recourse to public funds.

Unity Centre gives practical support and solidarity to all people seeking protection and other migrants in Scotland.



APPENDIX 2: Glossary

Asylum Accommodation and Support Contracts (AASC)

New 10-year AASC contracts commenced in September 2019 which replaced COMPASS. The Asylum Accommodation and Support Contracts (AASC) govern the relationship between the Home Office and the three companies contracted to provide asylum accommodation in the UK: Clearsprings, Mears and Serco. The current contractors are: Midlands and East of England: Serco; North East, Yorkshire and Humberside: Mears Group; North West: Serco; Northern Ireland: Mears Group; Scotland: Mears Group; South: Clearsprings Ready Homes; Wales: Clearsprings Ready Homes. The contracts offer a range of improvements, with a particular focus on assisting individuals through the asylum system. The contracts will ensure that vulnerable people seeking protection have access to the support they need and set clear requirements on the standard and condition of accommodation.

People seeking protection

A person seeking protection is someone who has lodged an application for international protection under the United Nations 1951 Refugee Convention or Article 3 of the European Convention of Human Rights, and is awaiting a decision from the (UK) Government.

Asylum support

People seeking protection who are destitute can apply for accommodation and/or subsistence support from the Home Office. This was previously known as NASS support. To apply, they must fill out an [ASF1 form](#). Home Office accommodation is provided on a no choice basis in one of the Home Office dispersal areas around the UK. Glasgow is currently the only dispersal area in Scotland. If people seeking protection have additional care needs due to chronic illness or disability they may also be eligible for support from their local authority.

Application registration card (ARC)

ARC is a credit card sized document issued to asylum applicants after they have lodged their asylum claim (known as 'asylum screening') to show that they have applied for asylum. It is also used as evidence of identity, immigration status and entitlements in the UK. It holds identifying information including fingerprints and reporting arrangements in a microchip within the card. See more information [here](#).

Biometric Residence Permit

Identification card held by many non UK nationals, including people with Refugee, Humanitarian Protection or Discretionary Leave to Remain status. It bears a photograph of the holder along with biometric details and should be sufficient evidence for most purposes, for example to confirm identity, right to study or work in the UK, and right to any public services or benefits they are entitled to.

Discretionary leave to remain

Discretionary leave is a form of immigration status granted to a person who the Home Office has decided does not qualify for Refugee Status under the 1951 Refugee Convention but where there are other compelling reasons why the person should be granted temporary leave to remain in the UK. Discretionary Leave to Remain is awarded for a maximum of 2.5 years. Further Leave to Remain should be applied for within 28 days of the leave expiring. During the application process people keep the same entitlement to housing and welfare rights.

Dispersal

Dispersal is the process by which the Home Office moves an asylum seeker to accommodation outside London and the South East while they wait for a decision on their asylum claim. They are first moved to initial accommodation while their application for asylum support is processed (usually 2-3 weeks). Once the application has been processed and approved they are moved to dispersal accommodation, usually within the same dispersal area.

Family reunion

Family reunion is the process enabling people granted Refugee Status or humanitarian protection to bring their spouse and dependent children to join them in the UK.

Female Genital Mutilation (FGM)

Female genital mutilation (FGM), also known as female circumcision or female genital cutting, is defined by the World Health Organisation (WHO) as “all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons”. FGM is most prevalent in Africa (in 28 countries), and in a few countries in the Middle East (e.g. Yemen, Kurdish communities, Saudi Arabia), Asia and among certain ethnic groups in Central and South America, as well as affected communities living in the diaspora, for example in Europe and North America. FGM is illegal in the UK.

Humanitarian protection (HP)

Humanitarian protection is a form of immigration status. It is granted by the Home Office to a person who it decides has a need for international protection but who does not meet the criteria for Refugee Status under the 1951 Refugee Convention. Humanitarian Protection is awarded for 5 years. People with Humanitarian Protection are eligible to apply for Indefinite Leave to Remain at the end of their initial 5

year grant of leave. Such an application will normally be granted. During the application process and once granted Indefinite Leave to Remain, people keep the same entitlements to housing and welfare rights.

Indefinite leave to remain (ILR)

ILR is a form of immigration status given by the Home Office. Indefinite leave to remain (ILR) is also called ‘permanent residence’ or ‘settled status’ as it gives permission to stay in the UK on a permanent basis.

Induction (asylum support)

Induction is the part of the process people seeking protection go through in order to access Home Office support. In the induction process people seeking protection receive information about the asylum and asylum support processes and their rights and responsibilities in the UK. This process and the service to support applications for asylum support is provided by Migrant Help.

Initial accommodation

Initial accommodation is provided to destitute people seeking protection while they wait for the outcome of their application for asylum support. If the application for asylum support is successful an asylum seeker is moved to dispersal accommodation elsewhere within the dispersal area.

Move-on period

When a person seeking asylum in the UK is granted leave to remain in the UK (Refugee Status, discretionary leave to remain or humanitarian protection) they are given 28 days notice from the Home Office after which time their asylum accommodation and financial support will come to an end. We refer to this period as the ‘move-on period’. During this period, people are entitled to claim benefits (although they may not yet have a National Insurance Number) and apply for social housing.

Over stayer

An over stayer is a person who was allowed into the UK for a limited period but who has remained longer than the time allowed without permission from the Home Office or under immigration rules.

Refugee

A refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...' (United Nations 1951 Refugee Convention).

Refugee Status

Refugee Status is awarded to someone the Home Office recognises as a refugee as defined by the 1951 UN Refugee Convention. A person given Refugee Status is normally granted leave to remain in the UK for 5 years and at the end of that period can apply for Indefinite Leave to Remain (see ILR).

Resettlement

Resettlement is the process whereby refugees living outside their country of origin are moved to another country for permanent resettlement. Status for these individuals is granted prior to their arrival in the UK and the housing should be arranged by the receiving local authority before they arrive. Receiving local authorities are funded by the Home Office to provide basic income for these individuals while they claim state benefits. Recent examples are the UK Government's commitment to resettle Syrian nationals and the Gateway Scheme

Screening interview

Screening interviews normally take place at the point at which an asylum seeker lodges their claim for asylum. They will be interviewed by an Immigration Officer to establish their identity, route to the UK, reasons for fleeing their country and asked questions about criminal offences. During the interview people seeking protection will need to give their biometric information, such as photo and fingerprints and should be issued with an asylum registration card (see ARC).

Section 4 support

Section 4 of the Immigration and Asylum Act 1999 gives the Home Office powers to grant support to some destitute people seeking protection whose asylum application and appeals have been refused but there are barriers to them returning to their country of origin. Support provided under Section 4 is often in shared accommodation and financial support is provided on a cashless basis in the form of a payment card preloaded with £39.63 per person each week, which can only be spent in designated shops on essential items (with additional funds given for newborn and young children). The card cannot be used to pay for public transport.

Section 5 referrals

Section 5 referrals (introduced in Section 5 of the Housing (Scotland) Act 2001) are the formal means by which local authorities can request that statutory homeless people are housed by registered social landlords in its area. Registered social landlords must comply with a local authority request, within a reasonable period, unless there is a good reason for not complying. The Scottish Government provided guidance stating that a reasonable period should be 6 weeks.

Subsistence support

Subsistence support is the cash element of Home Office support. People seeking protection who have accommodation, for example with friends or relatives, can apply for subsistence support only.

Torture

The most widely accepted definition of torture internationally is that set out in Article 1 of the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT):

“... ‘torture’ means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

Trafficking (human trafficking)

Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons as: ‘the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation’. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Unaccompanied Asylum Seeking Children (UASC)

Unaccompanied children seeking asylum are children who have applied for asylum in their own right, who are outside their country of origin and separated from both parents or previous/legal customary primary caregivers. Such individuals should be provided with services for looked after children by receiving local authorities and be referred to the [Scottish Guardianship Service](#).

Section 11 Human Trafficking and Exploitation (Scotland) Act 2015 provides a statutory entitlement to an independent guardian for many UASCs. A consultation was undertaken in 2019 to find out views on the appointment and functions of an Independent Child Trafficking Guardian (ICTG) and wider operational issues concerned with the provision of a new ICTG service that will support children and young people who are, or vulnerable to becoming, victims of trafficking. The new and updated role is expected to be fully implemented in Scotland in 2021.

Additionally, the National Transfer Scheme Protocol for Unaccompanied Asylum Seeking Children - Scottish Protocol forms the basis of a voluntary agreement made between local authorities to enable the safe transfer of unaccompanied asylum seeking children and young people from one local authority to another throughout the UK. COSLA has been working with local authorities and the UK and Scottish Government to develop an approach to both the UASC transfer scheme that is fit for purpose in Scotland.

For more useful information on [key immigration terms for housing](#) advisors CIH Scotland has a dedicated resource.





Scottish Refugee Council is independent charity dedicated to supporting people in need of refugee protection.

The people we work with have fled horrific situations around the world and come from countries where conflict is rife and human rights abuses common.

We are here for people at a difficult time in their lives

Through our direct services we provide practical support, advice and a listening ear to help people rebuild their lives in a sustainable and meaningful way. Our work to support people rebuilding their lives here unites us with a movement of people across Scotland and beyond who believe in the importance of solidarity with people forced to flee their homes.

We are proud to stand with people seeking protection and proud of the many way Scotland's refugee communities have enriched our culture and society.

To find out more, or how to contact us please visit:
<https://www.scottishrefugeecouncil.org.uk/>

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